

Page 1st

William Footes will

I William Footes of Cedar Hill and County of Fauquier do hereby make and Ordain this my last will and Testament (revoking all others wills by me heretofore made) in the words and figures following to wit:

In the first place, I give and bequeath to the Children of my deceased son George Footes late of Alabama, one Eleventh part of ^{my} estate that I now have or may have at my death they to account in said division for the sum of two thousand five hundred dollars, which stands charged on my Book as an advancement to, and in the name of their father.

2nd Item. I Give and bequeath to the Children of my son William F. Footes, of Alabama, which he has at this time, or may have one Eleventh part of my Estate, and they to account in said division for the sum of three thousand and forty six dollars, and seventy five Cents, which stands charged on my Book to their father in like manner as specified in the first clause of this will. But it is my will and desire that my said son William may have and enjoy the use of the said Eleventh part of my Estate as above mentioned during his life, and in the manner following manner to wit: that my Executors to be hereinafter named, shall hold the said bequest in their hands, as trustees for the use and benefit of said William for and during his life, and after his death shall divide the said bequest equally amongst his children.

3rd Item I Give and bequeath to the Children of my Daughter Ann Taylor, the wife of John M. Taylor of Alabama, and that she may have one Eleventh part of my Estate, and they are to account in the said division, in like manner as already mentioned in the preceding Clauses for the sum of two thousand five hundred dollars, which stands charged on my Book, as before mentioned, as an advancement to & in the name of said John M. Taylor and Ann his wife, the said bequest to be equally divided amongst said Children.

4th Item. I Give and bequeath to my son Gilson Footes one Eleventh part of my Estate, and he to account in like as aforesaid, for the sum of three thousand ^{three hundred} and thirty four Dollars, and two Cents, in said division, which said sum he stands charged with on my Book as before mentioned.

5th I Give and bequeath to the Children of my deceased son Phillip A. Footes late of Alabama, one Eleventh part of my Estate, and they in like manner as herein before mentioned to account in said division for the sum of two thousand one hundred and ten Dollars, which said sum stands charged on my Book as before mentioned to their father.

6th I Give and bequeath to my daughter Sigismunda Ashton, one Eleventh part of my Estate, and she to account in said division for the sum of one thousand one ninety dollars, which said sum stands charged in like manner as herein before mentioned to John B. Ashton, and Sigismunda his wife.

7th I Give and bequeath to my son in law, John McKapic one Eleventh part of my Estate and he to account in like manner in said division for the sum of eight hundred and seventy five Dollars which sum stands charged on my Book before mentioned to him, and his wife.

- 2.
- 8th I Give and Bequeath to my son Richard H. Fote One Eleventh part of my Estate and he to account in like manner in said division for the sum of nineteen hundred and ninety dollars, and ninety cents, which sum stands charged to him on my Book as before mentioned;
- 9th I Give and bequeath to my son Frederick Fote one Eleventh part of my Estate and he in like manner in said division to account for the sum of eight hundred and fifty dollars, which sum he stands charged with on my Book Before mentioned.
- 10th I Give and bequeath to my son Edwin Fote one Eleventh part of my Estate, and he to account in like manner in said division for the sum of six hundred and twenty Dollars, which sum stands charged to him on my Book before mentioned.
- 11th I Give and bequeath to my Executors, to be herein after named, one Eleventh part of my Estate for the use and benefit of my Grand son, the only child of my deceased son Alexander Fote, who I believe is called, Steven, and he to account in like manner in said division for the sum of three thousand two hundred and twenty two dollars, and twenty eight cents, which sum stands charged on my Book before mentioned to my said son Alexander, and it is my will and desire & I do hereby direct that my Executors here after to be named, shall hold the said bequest in their hands until my said Grand son, arrives, at the age of twenty one years, but in the event of his death before that period I then desire that said bequest may be equally divided among my children and Grand children, but if my said Executors should think that during the minority of my said Grand son he stands in need of assistance for maintainance or schooling, they are to apply any part of the profits of the bequest to that purpose.
- 12th It is my will and desire that my Executors, herein after to be named shall dispose of all my real Estate embracing also that tract called Eppingham, which I purchased of Capt John Macrae as trustee for Lawrence G. Alexander, at such time, and such manner as they may think will be most advantageous to the Estate and the proceeds of such sales to be applied, to the purposes declared in the preceding clauses, of this will, so far as that subject extends. And it is further my will and desire that my said Executors, shall sell and dispose of any of the negroes, and personal estate, whereof I may die possessed that they may think proper, and the money arising therefrom, and the money arising from the sales of crops, shall be first applied, and given to such of my children as have not had a proportion, or advancement with others so as to make their said advancements, two thousand five hundred Dollars, and it is my will that the negroes, and other property that may remain after such sales, as are herein authorized to be made by my said Executors, and all debts and claims due to me when collected shall be subject to the general division required by the bequests, expressed in this will.
- 13th It is also my will and desire that the portion or portions

of property and money, which may be allotted in the said general divisions of my Estate to the children of William A. Foote Ann Taylor and Phillip A. Foote, may be laid out and vested in the discretion of my said Executors, as they may think most advantageous for the said children, in carrying into effect, the purposes expressed for their benefit severally in the second third and fifth clauses, of this will, having respect however to the benefit intended for my son William, as expressed, in the said second clause of this will.

14th It is further my will and desire that the bequest contained in the tenth clause of this will for my son Edwin Foote shall be subject in the division of my Estate as mentioned to the further sum of nineteen hundred and twenty dollars in addition, to the sum of six hundred and twenty dollars therein expressed.

Faith I do hereby appoint my son in law John W. Massie and my sons, Wilson, Richard and Frederick Foote my Executors and in the event of the death of any one or more of them, the survivors or survivor shall have full power, and authority to carry into effect the provisions and directions contained in this will. In testimony whereof, I have hereunto subscribed my name and affixed my seal, to this my last will and testament, beginning on page 1st and ending on page 2nd March 1833.

Signed & sealed in presence of
Thos. Nora & Haywood Foote
Thos J. Withers
Stephen McCormick
Lucien Hlad
James French

Wm Foote Seal

1st Codicil

I William Foote, testator of the foregoing will and testament, do hereby make and annex to the same, this Codicil in the words and figures following, viz. And it is my will and desire that the same shall be taken and construed as a part of my said will, as if the same had been incorporated in the body thereof. In consideration of a contract between myself and my son Edwin, for the joint cultivation of my farm lying near Heapsville in the County of Prince William for and during the year 1831 and 1832. I do hereby require that my said son Edwin shall settle an account with my son in law John W. Massie and my son Frederick Foote, two of my Executors named in the foregoing will, & testament, of the transactions of said Joint Cultivation and that in so doing my said son Edwin shall charge himself with the expenses, and charges of said Cultivation embracing the taxes, muths aple, and Doctors Bills and that he shall have to his credit one equal half of the grain of every description hay & fodder that may have been sold from said farm but for no part of such meats as may have been raised on said farm over the supplies necessary for the use of the same and the remaining half said grain and all other sales from said farm that may have been made, to my said son Edwin, shall

account for in the Division of my Estate, as directed in the body of my said will before he participates in the bequests therein intended for him.

It is further my will and Desire that my three servants namely Jack, Harry, & Grinn, who have been trusty and faithful servants, and are somewhat advanced in years, shall have the privilege of choosing whosoever they may think fit amongst my legates, to live with the remainder of their lives, and are to be received by such of my said legates as may be thus chosen, at their valuation, as a part of such bequest as may have been made for said legates in the Body of my said will. The foregoing Codicil to my last will and Testament is hereby declared by me to be a part of my said will and Testament. And in testimony of the same I do hereunto set my name and affix my seal this 2nd Day of April 1833.

In presence of
Thos. Ford

Wm Foots Seal

Virginia

At a Court held for Fauquier County at the Court House of said County on the 23rd Day of April 1833.

The Last will and Testament of William Foots deceased was proved by the oaths of Thomas Ford Stephen McCormick and Lucien Dade subscribing witnesses thereto and a Codicil thereto annexed was proved by the oath of Thomas Ford a subscribing witness thereto, and the said will and Codicil, are ordered to be recorded, And on the motion of John or Maple Gibson Foots, Richard H. Foots and Frederick Foots, the Executors therein named who made oath thereto, and together with Jacob Weaver Walter A Smith and James Cowles, their Securities entered into and acknowledged their bond in the penalty of eighty thousand Dollars, conditioned as the Law directs, Certificate is granted them for obtaining Probate of the same in due form, the Securities having justified.

Virginia

Fauquier County to wit:

I Alexander J. Marshall Clerk of the County Court aforesaid do hereby Certify that the foregoing is a true Transcript from the record of the said Court.

In testimony whereof, I hereto set my hand and annex the seal of the said Court, this 3rd day of December 1834. And in the 5th year of the Commonwealth.

A. J. Marshall Clerk

Virginia

Fauquier County To wit:

I Thomas Fitzhugh Elderst and presiding

Magistrate of the County Court aforesaid, do hereby certify that
Alexander J. Marshall who hath given the preceding certificate
is Clerk of the said County; And that his said attestation is in due
form.

Certified under my hand this third day of December in the year
1834. *Thos. Fitzhugh*

The foregoing will was received in office in December 1835. And
truly recorded on the 13th day of Sept. 1836.

W. P. Beamon Clerk

*John Williams
will*

State of Mississippi
Nodulce County

Know all men by these presents that I John Williams of
State and county above named being diseased in body, but knowing
myself to be in my right mind, make known that in my desire and wish for the
welfare of my beloved wife Elizabeth and dear children collectively and individually
do give unto them by my wife and children, all my property of which I may be
proprietor, after my lawful debts shall have been paid, both real and personal, to be kept
together until my oldest child shall have arrived to a lawful age, at which time
an equal portion of my property shall be given, and when the next oldest shall have
arrived at a legal age a similar division shall be made, and so on until all my
children shall have arrived to legal age, a distribution of my property shall be
made in like manner considering my wife to be equally entitled to a proportional
distribution with my children, and that my will may be executed in way and
manner herein prescribed, I appoint William R. Coleman and Williams D. Coleman
to effect the same and in case that either, or both of the above named executors, by death
or removal, or otherwise fail to act the court will appoint a successor or successors; which
executors above named are requested and desired (if in their power lie) to sell any or what-
ever part of my real estate, and make titles to the same, which they may believe to be
most conducive to the benefit of my wife and children in testimony whereof I here-
unto set my hand and seal this twentieth day of August and in the year of our
Lord one thousand eight hundred and thirty six.

Signed and Sealed in the presence of 1 day and
date above written

John Williams (seal)

W. S. Willbanks

W. B. Sanders

The State of Mississippi
Nodulce County } Personally came in open court before me Charles W. Allen
Judge of Probates for the aforesaid county the above named
W. S. Willbanks and *W. B. Sanders* subscribing witnesses to the foregoing last will and
Testament of John Williams Deceased who after first being duly sworn according to Law
deposed and said that the Testator John Williams signed and published the within an-
nounced as his last will and Testament, that he was of his free mind and memory and
that they subscribed their names thereto in the presence of the Testator and at his request.
Given under my hand and seal this 17th day of October A.D. 1836.

The foregoing will was received in office on the 17th day
of October 1836 and recorded the 16th day of November 1836.
Dated

Charles W. Allen (seal)
Judge of Probates

W. P. Beamon
By *H. W. Palmer* D.C.